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FROM: Randall K. McCarthy, Registration No. 39,297

TO: Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ADDRESSEE/ORGANIZATION	FAX NO.	TELEPHONE NO.
Art Group 2186	571/273-8300	571/272-4100

RE: Application No. 10/817,617  
In re application of: Stephen J. Sicola, et al.  
Assignee: SEAGATE TECHNOLOGY LLC  
Dkt. No.: STL11874

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PATENT  
Dkt. STL11874

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stephen J. Sicola and Charles M. Sander  
Assignee: SEAGATE TECHNOLOGY LLC  
Application No.: 10/817,617 Group No.: 2186  
Filed: April 2, 2004 Examiner: Pierre Bataille  
For: MANAGED RELIABILITY STORAGE SYSTEM AND METHOD

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed September 26, 2006, for a second time rejecting claims 42-70.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Notice of Appeal fee due for other than a small entity \$500.00

## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

10/13/2006 MBINAS 00000030 10817617

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Signature

Date: October 12, 2006

Diana C. Anderson

(type or print name of person certifying)

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4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

TOTAL FEE DUE \$500.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$500.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 06-0540.

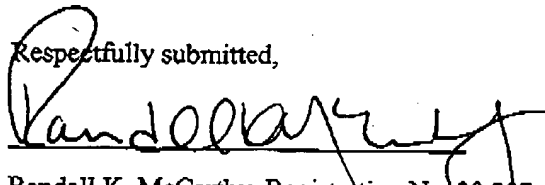
6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date:

10/12/06

Respectfully submitted,



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